

Message

From: Hicks, Matt [Hicks.Matthew@epa.gov]
Sent: 5/10/2019 2:25:22 PM
To: Palmer, Leif [Palmer.Leif@epa.gov]
CC: Ghosh, Mita [Ghosh.Mita@epa.gov]; Nagrani, Kavita [Nagrani.Kavita@epa.gov]
Subject: RE: FL 404 Assumption Status

Will do. Thanks.

From: Palmer, Leif
Sent: Friday, May 10, 2019 10:17 AM
To: Hicks, Matt <Hicks.Matthew@epa.gov>
Cc: Ghosh, Mita <Ghosh.Mita@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>
Subject: Re: FL 404 Assumption Status

Thanks.

Let me know when hear anything more in the **Ex. 5 Deliberative Process (DP)** issue.

Sent from my iPhone

On May 9, 2019, at 10:32 PM, Hicks, Matt <Hicks.Matthew@epa.gov> wrote:

Leif,

Three updates on FL Assumption:

1. Mita, Kavita, Simma, Jeff Speir, and I had a call with J.T. Morgan (OECA/OCEFT) to discuss his concerns with **Ex. 5 Deliberative Process (DP)**. We expressed our surprise at seeing his April 4th write-up since the last time we spoke with J.T. about his **Ex. 5 Deliberative Process (DP)** concerns was April 2018. We discussed the five main issues J.T. raised in his write-up. **Ex. 5 AC/DP**

Ex. 5 AC/DP

Ex. 5 AC/DP

2. The EPA assumption team had a call with FDEP and the Corps today to go over questions we have with the Corps' recent edits to the enforcement section of the Corps/FDEP MOA and questions we have on the draft Retained Waters List and associated GIS layer they've created. EPA received more clarity on the Corps' enforcement edits but wants to discuss them more internally. We also have a better understanding of the draft Retained Waters List and GIS Layer but further internal discussion is needed as well.

Ex. 5 AC/DP

3.

Ex. 5 AC/DP

There has been no change in the status of the assumption deliverables. The usual caveats apply about these being rough estimates of deliverable completeness including how far along we are to getting review/signatures/buy-in from necessary parties.

- Letter from Governor requesting program approval
- Complete program description
- Attorney General's statement
- EPA/DEP MOA
- Corps/DEP MOA
- Copies of all applicable state statutes and regulations, including those governing applicable state administrative procedures

The 5-way MOA is not a required component per the 404 assumption regulations but it is something that will be part of FL's program so we've attempted to assign it a completeness number as well.

- 5-way MOA